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U. S. Department of Health, Education, and Welfare
Public Health Service

Report AND Address,

DELIVERED BY THE

PRESIDENT,

TO THE MEDICAL SOCIETY OF THE COUNTY

OF NEW-YORK;

TOGETHER WITH THE

Charter

OF THE

COLLEGE OF PHYSICIANS & SURGEONS

IN THE

CITY OF NEW-YORK.

PUBLISHED BY ORDER OF THE SOCIETY.

NEW-YORK:

PRINTED BY JAMES CHEETHAM.

.....
1807.



At a meeting of the Medical Society of the county of New-York, held at the City-Hall, on Monday, March 23d 1807, it was

Resolved, that a committee be appointed to cause to be printed five hundred copies of the

Report and Address, delivered by the President, to this Society, together with the Charter of the College of Physicians and Surgeons ;

Whereupon,

Dr. RODGERS,

Dr. GILLESPIE,

Dr. BIRCH,

Dr. SEAMAN, and

Dr. BRUCE,

Were appointed a committee for that purpose.

Extract from the Minutes.

ARCHIBALD BRUCE,

Secretary.

REPORT AND ADDRESS.

GENTLEMEN,

HAVING been honoured by this society with their commission as delegate to the Medical Society of the state, and also with other marks of their consideration, I must now beg your indulgent attention to my official report, and to an explanation of my official conduct.

On my arrival in the city of Albany, I was informed by the president of the Medical Society of the state, that the society had been duly organized—twenty-two delegates had attended—certain bye-laws had been enacted. The society had agreed to present a petition to the legislature, to pass an act to divide the members of the Medical Society of the state into classes, and to make some provision for the support of the society. They had examined and licensed one or more candidates to practise physic and surgery, and had adjourned to meet on the first Tuesday in February next. A copy of the bye-laws of the Medical Society of the state has been delivered to the secretary for the use of this society.

The members of the legislature, as well as the medical gentlemen whom I had the pleasure to meet in Albany, were informed by me of the grateful sentiments which my medical brethren of the county of New-York would always entertain towards the honourable the legislature of the state, and especially those enlightened men by whose attention to the public good, and the interest and honour of the profession, the act had been obtained for incorporating medical societies for the purpose of regulating the practice of physic and surgery in this state—they considered that act of the legislature as among the first efforts made in this country to reduce medicine to a regular science, by investing the privileges of medical men, in the body of the members of the profession—that the establishment of the College of Physicians in London during the reign of Henry the Eighth, was the first act which raised the reputation of the medical profession in Britain, by taking the government of that profession out of the hands of colleges and of the clergy, who, in less enlightened times, had been invested with the same. In like manner the Medical Society of the county of New-York, cherished the hope that by an union with the other medical societies of the state, and a preservation of the rights granted them by the legislature, the medical profession would be improved, and its members might, by their usefulness, gain the respect and esteem of their fellow-citizens.

It was further stated that my medical brethren of the county of New-York did not suppose they could express their gratitude to the honourable the legislature of the country in a more dignified and generous manner than by a liberal and just exercise of the powers with which they were invested by law.—That they received, as members of the society, all Physicians and Surgeons resident in the county of New-York, and authorised by the former laws to exercise their several professions—that they had appointed a respectable committee to confer with trustees of colleges respecting the best means of promoting medical education—that the members of the society had been divided into classes to promote in a special manner certain specific parts of medical science—they had examined and licensed three candidates to practise physic and surgery, and now wished to continue secure in the exclusive rights and privileges with which they were invested at the time of their incorporation: and that they might promote and cherish the science of medicine under the patronage of the state, to see those duly educated in a knowledge of the healing art, who in the course of nature, might be destined to supply their places

The liberal conduct of this society since its incorporation and the laudable and virtuous views entertained by the members, could not be expressed without exciting emotions in the minds of generous and enlightened men, and I have just reasons to suppose that had I presented the memorial to the honourable the legislature, for incor-

porating this society into a college of Physicians and Surgeons, it would have been attended with success—It is however with sincere regret I have to inform you that I could not present the memorial without exciting those unpleasant reflections and remarks which are commonly manifested by the public in all the disputes of professional men, which I wished seriously to avoid, and would only submit to under imperious circumstances—many of my fellow members can be no strangers to the situation in which I have been placed : I shall trust to their generosity for a just appreciation of the motives by which I have been actuated—the society's memorial is returned to the secretary.*

The memorial to the honourable the legislature on the part of this society and others, for the use of the government house, was received by me when at Albany ; a previous application, however, had been made by the city corporation for the purchase of that house, and the circumjacent ground, and which was favorably reported on by a committee of the legislature. I did not therefore think proper to present the memorial, and I hope my conduct will be approved by this society, especially when they reflect on the kind attention of that corporation to this institution since its first establishment—that memorial is also placed in the hands of the Secretary.

* Certain practitioners of Physic, residing in the city of New-York, signed a memorial to the legislature, against establishing in the city of New-York a College of Physicians and Surgeons.

Hesitating, therefore, to present to the honourable the legislature the memorials, from the causes I have mentioned, and conceiving a new institution as a College of Physicians and Surgeons, distinct from this society, might be equally agreeable to my fellow-members, I was induced to apply by memorial to the chancellor and regents of the University for that purpose, presenting at the same time, your memorial to that honourable board.

On the second of March I was invited to a meeting of a board of the regents of the University, to explain to them the objects contemplated by this society in the institution of a College of Physicians and Surgeons, when I stated, as well as I was able, the advantages which would be derived by the public, as well as professional men, from such an establishment. The memorials were afterwards referred to a committee to examine and report on the expediency of granting the same; and I had the honour to attend the committee of the regents on the subject of their investigation, when I gave them the fullest information in my power on all the subjects of their enquiries. I stated, in a special manner, the advantages which the English nation had derived from the establishment of the College of Physicians in London—that a member of that college (Dr. Harvey) had made himself immortal by the discovery of the circulation of the blood—That many others had obtained the highest consideration by their usefulness and respectability—That

the members of that college had contributed more than any other community of men to give a polish and refinement to that nation; to diffuse a love of science and the useful arts—That it was now the desire of this society to be also incorporated into a College of Physicians and Surgeons, that they might endeavour to be useful to their country.

I may intrude on your attention by continuing this report. The committee of the regents weighed every thing that was said by me on the part of this society; they equally attended to the remonstrance from certain members of the society—they considered the rights and pretensions of the colleges of this state, and I am confident were ultimately guided in their determination by their love of science and attention to the public good.

The committee of the regents, I was informed, were unanimous in their report, and the regents agreed without one dissenting voice to grant a charter for establishing a College of Physicians and Surgeons in this city. The charter was drawn as favourable to the profession as could be expected, and with due regard to the rights of every member of this society.

My fellow-members of this society may be congratulated on this important event, which may form a new æra in the annals of medicine—we have obtained for ourselves

and our country, a useful academic institution—in it we are united with those valuable men, who, without our knowledge, obtained from the legislature, the privileges which this society enjoys, by the act for its incorporation.

It would have afforded me the highest satisfaction had my fellow-members of this society been as unanimous in favour of establishing a College of Physicians and Surgeons, as the regents were in granting the same. On this subject I have experienced a difference of opinion among professional gentlemen, who have been long established in this city.

I did humbly conceive I was introduced into the chair of this society by my fellow-members to support its rights and privileges, and to perform, as well as I was able, the duties of my office—I have in conscience done so. If in doing my duty I have given offence to any member, I shall feel regret. It is well known that the College of Physicians in London, exact and demand examinations from all the graduates of the British Universities, before they will license them to practise. The state has given us the same powers—I see no reason we should relinquish them; if the legislature has in the act incorporating this Society, shewn courtesy to strangers, I hope my fellow-members will not complain of the liberality which has been manifested by such high authority.

I have now to inform you that the Charter for establishing in this city a College of Physicians and Surgeons, is in the hands of the Secretary of this Society, and I pray Almighty God that Institution may in its operation be useful to this Nation, and be handed down with honour to the latest posterity.

Charter
OF THE
COLLEGE OF
PHYSICIANS AND SURGEONS
IN THE
CITY OF NEW-YORK.

CHARTER.

*By the Regents of the University of
the State of New-York.*

WHEREAS the Medical Society of the county of New-York have presented unto us their Memorial, under the seal of the said Society, testified by Archibald Bruce, Secretary, stating that their efforts to contribute to the diffusion of science, and the improvement of the medical profession would be more successful, if they were directed under the patronage of the Regents of the University of this state, and were incorporated as a College of Physicians and Surgeons, and praying us to favor the views of the said society, so far as they are connected with the public good, and with which the improvement of the medical profession is intimately connected, and that the said society may be incorporated as a College of Physicians and Surgeons, under our patronage.

AND WHEREAS, Nicholas Romaine, president of the said Medical Society, of the said County of New-York, has also presented unto us his memorial in writing, stating that the said Medical Society is directed by law, to examine stu-

dents of medicine, and to grant licences to such as are properly qualified to practise physic or surgery, or both—That the said Society are impressed with the importance to the public, that a system of medical education should be instituted under their inspection, and praying us, in behalf of the said medical society of the county of New-York, and of each and every member thereof, that all the members of the medical society of the county of New-York, might be incorporated by us, into a College of Physicians and Surgeons under our direction and patronage, with all such rights and privileges, as might conduce to the promotion of medical knowledge, and the public good. AND we having taken the said memorials into our consideration, and being satisfied that a College of Physicians and Surgeons established in the city of New-York, for the sole purpose of promoting medical science, may be of public importance in diffusing the knowledge of the healing art.

BE IT THEREFORE ORDAINED BY US, by virtue of the act entitled, “ An act to enable the Regents of the University, to establish a College of Physicians and Surgeons within this state,” passed the 24th day of March, 1791, and we do by these presents, ORDAIN, GRANT, AND DECLARE, That a *College of Physicians and Surgeons, for the promotion of medical science, and diffusing the knowledge of the healing art*, shall be, and is hereby established in the city of New-York, in this state, and that Sir James Jay,

James G. Graham, Alexander Sheldon, Samuel L. Mitchell, William Livingston, Isaac Sargeant, Peter C. Adams, John Ely, Hugh Williamson, William McClelland, William Wheeler, Morris Willard, John Stearns, Philip Smith, Westel Willoughby, Caleb Sampson, Dunforth Shunway, Hugh Henderson, Gurdon Huntington, James Moore, John H. Frisbee, Barnabas Smith, Reuben Hart, Jesse Shepherd, Thomas B. Whitmarsh, David R. Arnell, Lyman Cook, John M. Mann, James Smith, Samuel Bard, Samuel Stringer, Hunloke Woodruff, Joseph White, Ebenezer Sage, Richard Udall, John Smith, Charles D. Cooper, Elias Willard, Jacob Outwater, Benjamin De Witt, Abraham Cornelison, David Hasbrouck, Charles Mitchell, Felix Pascalis, Samuel Torbet, Joshua E. R. Birch, John Riddell, George Anthon, John I. Coventry, Gardner Jones, Philip Turner, Lewis Faugeres, Samuel Nesbit, John Onderdonk, William Moore, Nicholas Romaine, James Tillery, Archibald Bruce, Valentine Seaman, David Hoffack, John R. B. Rogers. Wright Post, Edward Miller, William Hamersley, James S. Stringham, John H. Douglass, George W. Chapman, William James McNiven, John D. Jaques, Malachi Foote, Andrew Morton, John D. Gillespie, Alexander Hoffack, Philip D. Kettletas, John Clark, Charles Buxton, Michael Degray, Daniel B. Cornelius, Joel Hart, Abraham Brower, John Wilson, Eloy Berger, Richard S. Kiffam, Andrew Hunt, Benjamin Prince, Beekman Van Beuren, John Hicks, Joseph Bloodgood, Matthew Wendell, Samuel Bradhurst, John Stone, Baron A. De Caron-

deffez, George D. Cluffman, Samuel Osburn, Benjamin Low, Joshua Secor, Benjamin Rockwell, Shadrack Ricketson, George C. Quackenbos, Robert Thorn, Abraham Lozier, and all others who are now members of the Medical Society of the county of New-York, and all physicians and surgeons now resident in the county of New-York, and authorized by law to practise in their several professions, shall be the present trustees or members of the said college, and that the said trustees or members and their successors, shall be a body corporate and politic in fact, and in name, by the name of “ THE COLLEGE OF PHYSICIANS AND SURGEONS IN THE CITY OF NEW-YORK,” and shall have perpetual succession, and by that name shall be in law capable to sue and be sued, to plead and be impleaded, to answer and be answered unto, to defend and be defended in all courts and places, and in all matters and causes whatsoever, and to purchase, take, hold, enjoy and have, lands, messuages, tenements, hereditaments, and real estate, in fee simple, or for term of years, or lives, or in any other manner whatsoever, and also goods, chattles, books, monies, and all other things, of what nature soever ; *Provided always*, that such estate, as well real as personal, which the said college is hereby authorized to hold, shall not exceed the sum of one hundred and fifty thousand dollars, current money of this state, and that the trustees or members of said college, shall and may have a Common Seal, and may alter and renew the same at their pleasure.

And it is hereby further ordained, granted, and declared,
 That the trustees or members of the college of physicians and surgeons hereby established, shall and may meet together on the first Tuesday in May next, at twelve o'clock of that day, in the City-Hall of the city of New-York, or at such other hour and place as may be directed by the Chancellor of the University, and shall then elect by ballot, a President, Vice-President, Register, Treasurer, and thirteen Censors, who shall hold their respective offices for one year, and until others shall be chosen in their places, and the first Tuesday in May shall be forever after the day for the anniversary meeting, of said college of physicians and surgeons, and on which day the president and other officers before enumerated, shall be elected as aforesaid, and their quarterly meetings shall be on the first Tuesday in August, November and February in every year, and that on the days of their anniversary meeting, and at their quarterly meetings, but at no other time, they the said trustees or members, may enact such bye-laws, rules and regulations, relative to the affairs, concerns, and property of said College, and relative to the duties of their President, Vice president, Register, Treasurer, Censors, and other members, as they or a majority of the members of such annual or quarterly meetings may think fit and proper; *Provided* such bye-laws, rules, and regulations, be not contrary to, or inconsistent with the constitutions and laws of this State, or the United States, or the Ordinances made by us or our successors, Regents of the Uni-

verity of this state. And the Register of the said College, shall provide a book, in which he shall make an entry of all the resolutions and proceedings which may be had from time to time, and also the annual reports relative to the state of the treasury, and all such other things as a majority of the members of the college shall think proper, to which any member of the college may at any time have recourse, and the same together with all books, papers, and records, which may be in the hands of the Register, and be the property of the college, shall be delivered to his successor in office. And the treasurer of the said college shall receive and be accountable for all monies which shall come into his hands, and shall pay the same in such manner as may be directed by a majority of the members of said college convened at the anniversary or quarterly meetings, and by a warrant for that purpose, signed by the president or vice-president.

And it is hereby further ordained and declared, That in case it should at any time happen, that an election of the said officers, should not be made on the day when pursuant to this ordinance, it ought to have been done, the said corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day within three months thereafter to hold and make an election for the said officers, in such manner as shall have been regulated by the bye-laws of the said corporation.

And it is hereby further ordained, granted and declared by us,
 That the said college of physicians and surgeons, shall, as far as they are able, at all times provide suitable apartments for all such professors as shall hereafter be nominated and appointed by us in and for said college, and which professors shall have the stile and title of "Professors of the University of the State of New-York, for the college of Physicians and Surgeons," and that all the members of said college shall be privileged from time to time and at all times to attend, inspect, and notice, all lectures or other mode of teaching by the professors in said college appointed by us, and that in case of death or resignation of any professor or other vacancy in said college, a majority of the trustees or members of said college at any of their meetings may appoint lecturers in any branch of medicine or of the sciences connected therewith, until such time as our pleasure be known respecting the same, or professors be appointed by us—and that it shall and may be lawful at all times for them the said trustees or members to appoint lecturers in said college in any branch of science for themselves and for their own instruction.

And it is hereby further ordained, granted and declared,
 That the President, Vice President, Censors and all others, the trustees or members of said college, shall carry and put into full effect all our ordinances respecting the said college as well with respect to education as all other

matters and things, and shall pay due attention towards establishing and preserving for the said college an Anatomical museum and Chemical elaboratory and Botanic Garden, and shall make an annual report to us in writing, or to the Chancellor of the University in the month of January in every year, respecting the funds and property of the said college and all matters and things relative to said College, and the students and professors thereof.

And it is further ordained, granted and declared, That twenty-one trustees or members of the said college may form a board to do business at any of the anniversary, quarterly or extraordinary meetings; and that the President or in his absence the Vice-President of said college shall appoint and direct a special or extraordinary meeting to be called of the trustees or members of said college at any time or place he may think proper, provided application be made to him in writing for that purpose, signed by thirteen trustees or members, and the said meeting be previously advertised for six days in two of the newspapers printed in the city of new-York, and that at all meetings of the college in the absence of the President or Vice President, the senior Censor on the list of the College, then present shall preside, and that the trustees or members of said College may at any of their anniversary, quarterly or extraordinary meetings adjourn from day to day.

And it is further ordained, granted and declared, That the

President, Vice President, Trustees or Members of said college may at any time and at all times recommend to us any person residing in the county of New-York, and lawfully authorised to practise physic and surgery, or any physician or surgeon or person eminent for learning and talents to be a trustee or member of said College of Physicians and Surgeons, and any Physician and Surgeon resident for two years in the county of New-York, being of good moral character and authorised by law to practise in his profession, may apply to us to be nominated and appointed a trustee or member of said college, and that the said college may direct that the president of the said college grant appropriate diplomas under the hand of the President and seal of said College testified by the register, certifying the name of every such trustee or member of the College.

And be it further ordained and declared, That reserving to ourselves and our successors Regents of the University of this State all powers to appoint professors in said College, and also all powers to appoint and displace any trustee or member of said college, now nominated and appointed by this charter, or hereafter to be appointed by us or our successors, and also reserving all powers to confer degrees on any member or trustee or student of said college, which in our opinion and in the opinion of the president and other trustees and members of said College, may be worthy of any literary mark of distinction, in such manner as may be directed by us, and

also reserving to ourselves and our successors the right of appointing Fellows and honorary members for said college, and also of making such further grants or Ordinances, as we and our successors may find necessary and useful for said College, and also reserving to ourselves and our successors the right to alter and modify this Ordinance, establishing the said College, whenever we or our successors shall deem it necessary or expedient.

We do finally ordain, grant and declare, That the said trustees and members of the College of Physicians and Surgeons, in the City of New-York, and their successors forever, shall enjoy all the corporate Rights Privileges and Immunities which are hereby granted.

In testimony whereof we have caused our common seal to be affixed to these presents, the twelfth day of March in the thirty-first year of the Independence of the United States, and of our Lord, one thousand eight hundred and seven.

[L. S. A.] MORGAN LEWIS.

By command of the Chancellor,

FR. BLOODGOOD, Secretary.



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